



The Advocates' Society

La Société des plaideurs

November 13, 2018

Mr. Malcolm M. Mercer
Treasurer, Law Society of Ontario
Osgoode Hall
130 Queen Street West
Toronto, ON M5H 2N6

Dear Treasurer:

RE: Impending Closure of Pro Bono Ontario's Law Help Centres in Toronto and Ottawa

As you know, the mandate of The Advocates' Society includes, among other things, making submissions to governments and other entities on matters that affect access to justice, the administration of justice and the practice of law by advocates.

I write regarding the impending closure of Pro Bono Ontario's Law Help Centres for low-income unrepresented litigants in Toronto and Ottawa. As you know, these three court-based centres are scheduled to close on December 14, 2018 due to a lack of funding.

The closure of the Law Help Centres will have significant negative consequences, including increased costs borne by the Ontario justice system and an inability for unrepresented litigants who do not qualify for legal aid funding to obtain the legal assistance they need for their cases. Their closure will also significantly reduce opportunities for members of our two organizations to provide pro bono services in a focused and effective manner.

Recognizing that navigating through our justice system can be a nearly insurmountable challenge for unrepresented litigants, the Law Help Centres blend both self-help and duty counsel services. These services include summary legal advice, duty counsel representation at certain types of appearances, and help with completing court forms with the use of computer kiosks. The centres permit litigants to return for ongoing assistance, which allows for the provision of tailored, meaningful legal assistance to each individual litigant. The Law Help Centres are the only ones of their kind in Canada, and serve more than 18,000 clients each year. The centres' closure will leave a huge gap which will currently not be filled by any other programs.

The Law Help Centres ensure that unrepresented litigants participate not only effectively, but also efficiently, in the justice system. A 2017 study by The Resource for Great Programs, an American consulting firm, found that Pro Bono Ontario's court-based services to unrepresented litigants, including the Law Help Centres, provide a \$10 return for every dollar invested. The estimated cost savings and economic benefits provided by Pro Bono Ontario's services in its 2015-16 fiscal year amounted to \$5.76 million, which results from the elimination from the system of claims of doubtful merit, increased court efficiency, and the value of pro bono lawyer time leveraged from the private sector. In 2017, Ontario lawyers volunteered 22,000 hours of their time to Pro Bono Ontario's services.

The Advocates' Society has proudly supported Pro Bono Ontario's Law Help Centre project since its inception. The Advocates' Society partnered with Pro Bono Ontario to hold the first orientation and information session for volunteers of the Law Help Centre in Toronto in November 2007, a month before the first Toronto Law Help Centre was officially launched. Members of The Advocates' Society have been very dedicated to this project since then, as over 300 members of The Advocates' Society regularly volunteer with Pro Bono Ontario's programs including the Law Help Centres in Toronto and Ottawa.

The decision to close the Law Help Centres is based solely on the absence of sustained funding. Other sources of funding which have been directed to the centres (from Legal Aid Ontario and from the Law Foundation of Ontario) have been either frozen or reduced.

The spontaneous and widespread reaction from the bar, strongly supporting PBO's Law Help Centres, attests not only to their essential role, but to the strong and deep conviction among the bar that the LSO must play a pro-active role to ensure that access to justice is more than just a slogan. Providing financial support to keep the Law Help Centres operational will ensure that these unrepresented litigants have access to justice and that our courts continue to operate efficiently.

On behalf of The Advocates' Society's more than 5,000 Ontario-based members, I strongly encourage the Law Society to consider providing funding specifically directed at the Law Help Centres as other provincial law societies do, for example in Alberta and British Columbia. Such an initiative would recognize and be consistent with the Law Society's singularly important role in facilitating access to justice for the people of Ontario and protecting the public interest.

Yours truly,



Brian Gover
President

C: The Hon. Caroline Mulroney, MPP, Attorney General of Ontario
Vicki White, Chief Executive Officer
Dave Mollica, Director of Policy and Practice